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PATENT
ATTY. DOCKET NO.: INVIT1120-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fernandez, *et al.* Art Unit: 1646
Application No.: 09/990,091 Examiner: Unassigned
Filed: November 21, 2001
Title: METHODS FOR PRODUCING LIBRARIES OF EXPRESSIBLE
GENE SEQUENCES

Box Sequence

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and (g)


Sir:

I hereby state, as required by 37 C.F.R. § 1.821(f), that the information recorded in computer readable form is identical to the written sequence listing.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.821 (g), herein does not include new matter.

Respectfully submitted,

Date: August 19, 2002


Lisa A. Haile, J.D., Ph.D.
Reg. No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133

Customer Number: 28213

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>August 19, 2002</u> , in an envelope addressed to: U.S. Patent and Trademark Office Box Sequence, P.O. Box 2327, Arlington, VA 22202.	
Mikhail Bayley	
Name of Person Mailing Paper	August 19, 2002
Signature	Date



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VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir:

I, Mikhail Bayley, declare that I personally prepared the paper and the computer-readable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

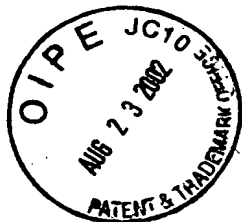
Date: August 19, 2002


Mikhail Bayley

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Arlington, VA 22202

TRANSMITTAL LETTER

Sir:

In connection with the response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 17, 2002, Applicants provide herewith a computer readable and a paper copy of the Sequence Listing in accordance with 37 C.F.R. §§ 1.821 – 1.825 *et seq.*

Transmitted herewith for the above-identified application please find:

1. Statement Under 37 C.F.R. §§ 1.821(f) and (g) (1 pg.);
2. Verified Statement Under 37 C.F.R. § 1.821(f) (1 pg.);
3. Response to Notice to Comply with Sequence Listing Requirements Under 37 C.F.R. §§ 1.821-1.825 (4 pgs.);
4. Sequence Listing (2 pgs.);
5. Copy of Notice to Comply with Nucleic Acid/Amino Acid Sequence Rules (1 pg.);
6. Sequence Listing in computer readable form (3.5" disk); and
7. Return Postcard

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>August 19, 2002</u> , in an envelope addressed to: U.S. Patent and Trademark Office Box Sequence, P.O. Box 2327, Arlington, VA 22202.	
Mikhail Bayley	
Name of Person Mailing Paper	
<i>Mikhail Bayley</i>	August 19, 2002
Signature	Date

In re Application of:
Fernandez, *et al.*
Application No.: 09/990,091
Filed: November 21, 2001
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No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Sheet is enclosed.

Respectfully submitted,

Date: August 19, 2002



Lisa A. Haile, J.D., Ph.D.
Reg. No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

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4365 Executive Drive, Suite 1100
San Diego, California 92121-2133

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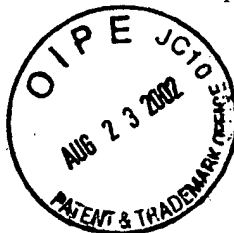


UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/990,091	11/21/2001	Joseph M. Fernandez	INVIT1120-3

LISA A. HAILE, Ph.D.
GRAY CARY WARE & FREIDENRICH LLP
Suite 1100
4365 Executive Drive
San Diego, CA 92121-2133



CONFIRMATION NO. 1288

FORMALITIES LETTER



OC000000008297053

Date Mailed: 06/17/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE